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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. N. Holland, et al

Serial No.: 10/783,642

Filed: February 20, 2004

Title: MEDICATION MANAGEMENT  
SYSTEM

Case No.: 7135USO2

Group Art No.: 2857

Confirmation No.: 7341

Mail Stop Petition  
Commissioner for Patents  
Alexandria, VA 22313-1450

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Certificate of Facsimile Mailing under 37 CFR  
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I hereby certify that this paper (along with any  
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Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Deposited on : June 8, 2006

Robin Evans 6-8-06  
Robin Evans Date

TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith for the patent application identified above entitled MEDICATION  
MANAGEMENT SYSTEM are the following:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under  
37 CFR 1.137(b) (2 pages)
2. Petition Under 37 C.F.R §1.137(b) Establishing Unintentional Delay (18 pages)
3. Exhibits A-H and J- N (13 Exhibits- 51 pages)
4. Copy of Petition dated April 14, 2005 (including docket report) (5 pages)

The Commissioner is hereby authorized to charge the \$1500 fee for the Petition for Revival  
Under 37 CFR 1.137(b) as well as any other fees associated with this communication for  
which full payment had not been tendered, to Deposit Account No. 50-3118. A duplicate  
copy is attached.

41155

HOSPIRA, INC.  
Telephone: (224) 212-2889  
Facsimile: (224) 212-2088

Respectfully submitted,  
G. N. Holland, et al

Michael R. Crabb  
Michael R. Crabb  
Registration No. 37,298  
Attorney for Applicants

Best Available Copy



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/64 (10-05)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
7135USO2

First named inventor: G. N. Holland

Application No.: 10/783,642

Art Unit: 2857

Filed: February 20, 2004

Examiner: Not Yet Assigned

Title: MEDICATION MANAGEMENT SYSTEM

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

- ☒ has been filed previously on September 1, 2005.  
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

06/12/2006 WABDELRI 00000009 503118 10783642  
01 FC:1453 1500.00 DA

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Michael R. Crabb

Signature

6/8/2006

Date

Michael R. Crabb

Typed or printed name

37,298

Registration Number, if applicable

275 North Field Drive, NLEG, H1

Address

224-212-2889

Telephone Number

Lake Forest, IL 60045-2579

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as ~~first-class~~ Express Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

6-8-2006

Date

Robin S. Evans

Signature

Robin S. Evans

Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicants: G. N. Holland, et al.

Serial No.: 10/783,642

Filed: February 20, 2004

Confirmation No.: 7341

Title: MEDICATION MANAGEMENT SYSTEM

Case No.: 7135US02

Group Art Unit: 2857

Examiner: TBD

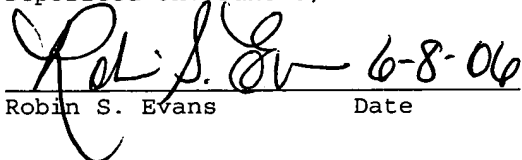
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as Express Mail, on the date shown below, with sufficient postage addressed to the following recipient:

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Deposited On: June 8, 2006

  
Robin S. Evans Date

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This petition is submitted in response to the Decision of the Office of Petitions mailed March 20, 2006 dismissing Applicants' Petition filed on April 14, 2005 seeking withdrawal of the holding of abandonment of the above-referenced application under 37 C.F.R. § 1.181(a) and MPEP 711.03(c) (I) (A).

Applicants respond by petitioning under 37 C.F.R. § 1.137(b) for revival of an application unintentionally abandoned.

#### **Additional Information & Background**

The Applicants aver that the following information supports this Petition.

1. Hospira, Inc. originally was formed as a wholly-owned subsidiary of Abbott Laboratories in preparation for the spin-off of Hospira, Inc. from Abbott Laboratories.

Hospira, Inc. was legally spun off from Abbott Laboratories on April 30, 2004 and since that date has been an independent corporation.

2. On January 13, 2004, Brian R. Woodworth, Reg. No. 33, 137, who at the time was a patent attorney of record for Abbott Laboratories, Customer Number 23492, filed a request for a new customer number in anticipation of the spin-off. See Exhibit A. The undersigned attorney also was a patent attorney of record for Abbott Laboratories, Customer Number 23492, as of January 13, 2004.

3. On March 8, 2004, Mr. Woodworth received a Notice of Customer Number Assignment via facsimile from the U.S. Patent and Trademark Office Electronic Business Center ("EBC") stating that the Customer Number 41155 had been assigned to Abbott Laboratories Hospital Products, Department 377, Building AP6A, 100 Abbott Park Road, Abbott Park, IL 60064-6008. Mr. Woodworth and the undersigned attorney were listed as attorneys of record for Customer Number 41155. See Exhibit B.

4. On April 13, 2004, Mr. Woodworth submitted by Express Mail to the EBC a spreadsheet (on a CD) together with a

request for a customer number batch update to transfer certain patents and pending patent applications from Customer Number 23492 into Customer Number 41155. The electronic spreadsheet identified the patents and pending patent applications that were to be assigned to Hospira, Inc. by Abbott Laboratories in connection with the spin-off of Hospira, Inc. Evidence of this submission and the relevant portions of the spreadsheet are shown in Exhibit C.

5. On April 29, 2004, after the correspondence address and telephone number for Hospira, Inc. were established, Mr. Woodworth submitted via facsimile to the EBC a Request for Customer Number Data Change for the purpose of changing the correspondence address and telephone number for Customer Number 41155. The specified correspondence address for Customer Number 41155 was: Hospira, Inc., 275 N. Field Drive, Dept. NLEG, Bldg H-1, Lake Forest, IL 60045-2579. See Exhibit D.

6. On April 30, 2004, the EBC mailed a Notice of Customer Number Record Change to Hospira, Inc. This notice was erroneous in two respects. First, it listed the Customer Number as 41165 rather than 41155. Second, it listed the correct street address for Hospira, Inc. but was addressed to an individual named Bradley Alan Silen rather than to Brian R. Woodworth. The undersigned attorney avers that Bradley Alan Silen was not and is not an authorized agent of Hospira, Inc., and that Bradley Alan Silen does not currently appear on the USPTO web site list of registered patent agents and attorneys. See Exhibit E.

7. On May 4, 2004, Mr. Woodworth sent a fax to the EBC to inform them of the errors in the USPTO generated Notice

of Customer Number Change and to request correction. See Exhibit G. Although the outgoing fax machine confirmed successful transmission of this fax, Hospira, Inc. never received a reply from the USPTO.

8. In April 2004, Abbott Laboratories created a copy or "clone" of a portion of its Master Data Center IPMaster docketing database for the purpose of creating a separate docketing database for patents and patent applications to be assigned to Hospira, Inc. by Abbott Laboratories in connection with the spin-off of Hospira, Inc. from Abbott Laboratories. Upon creation of the separate docketing database for patents and patent applications to be assigned to Hospira, Inc., Abbott Laboratories ceased patent-related docketing for such patents and patent applications. In order to ensure that Abbott Laboratories did not continue to undertake patent docketing for these patents and patent applications, Abbott Laboratories included a notation in its IPMaster database for each patent and patent application to be assigned to Hospira, Inc.

9. In recognition of the likelihood that correspondence relating to patents and patent applications to be assigned (and subsequently assigned) to Hospira, Inc. may continue to be received by Abbott Laboratories despite the above-enumerated efforts by Hospira, Inc., Abbott Laboratories and Hospira, Inc. entered into an oral agreement pursuant to which Abbott Laboratories agreed to forward to Hospira, Inc. all correspondence received by Abbott Laboratories that related to the patents and patent applications assigned to Hospira, Inc.

10. In order to fulfill its oral agreement with Hospira, Inc., Abbott Laboratories created a new, dedicated mail

bin for all patent-related correspondence received by Abbott Laboratories that related to patents and patent applications assigned to Hospira, Inc. See Exhibit F. The policies and procedures of Abbott Laboratories are set forth in the Declaration of Katrina M. Williams, attached hereto as Exhibit H.

11. Hospira, Inc. regularly received from Abbott Laboratories correspondence sent by the U.S. Patent and Trademark Office to Abbott Laboratories that related to patents and patent applications assigned to Hospira, Inc. The undersigned has no reason to believe that all correspondence sent by the U.S. Patent and Trademark Office to Abbott Laboratories that related to any of the patents and patent applications assigned to Hospira, Inc. was not forwarded by Abbott Laboratories to Hospira, Inc. in accordance with the oral agreement between Abbott Laboratories and Hospira, Inc.

12. All patent-related correspondence received by Hospira, Inc., including patent-related correspondence forwarded to Hospira, Inc. by Abbott Laboratories, was reviewed and docketed by Hospira, Inc. patent personnel in accordance with internal policies and procedures.

13. On April 30, 2004, Abbott Laboratories executed an assignment transferring certain pending patent applications to Hospira, Inc., including, but not limited to, the above-referenced application. On July 28, 2004, Hospira, Inc. submitted to the U.S. Patent and Trademark Office a request for recordation of this assignment.

14. On July 28, 2004, the U.S. Patent and Trademark Office recorded on Reel 014921, Frame 0536, the above-referenced assignment transferring pending patent



applications, including the present application, from Abbott Laboratories to Hospira, Inc.

15. On April 30, 2004, Abbott Laboratories executed an assignment transferring certain granted U.S. patents to Hospira, Inc. On July 19, 2005, Hospira, Inc. submitted to the U.S. Patent and Trademark Office a request for recordation this assignment. Because of the large number of granted patents involved, this request was made in two batches.

16. On July 19, 2005, the U.S. Patent and Trademark Office recorded on Reel 016536, Frames 0728 and 0910, the above-referenced assignment transferring granted U.S. patents from Abbott Laboratories to Hospira, Inc.

17. Throughout the late spring and summer of 2004, Hospira, Inc. regularly received patent-related correspondence for its patents and patent applications. Some of the patent-related correspondence received by Hospira, Inc. during this period was addressed to Abbott Laboratories and forwarded from Abbott Laboratories in accordance with the above-identified oral agreement.

18. Among the patent-related correspondence received by Hospira, Inc. during this period was a Filing Receipt Notice mailed May 14, 2004 for the present application. This Filing Receipt Notice was addressed to Abbott Laboratories and was received by Abbott Laboratories on May 20, 2004. The Filing Receipt Notice was forwarded to Hospira, Inc. by Abbott Laboratories in accordance with the oral agreement between Abbott Laboratories and Hospira, Inc.

19. When Hospira, Inc. received the Filing Receipt Notice mailed May 14, 2004 for the present application, the Filing Receipt Notice was docketed in Hospira's IPMaster docketing database and the correspondence was placed into the file for the present application. Upon receipt of the Filing Receipt Notice mailed May 14, 2004 for the present application, Hospira, Inc. did not include an entry in its IPMaster docketing database relating to a Notice to File Missing Parts, nor did Hospira, Inc. place a Notice to File Missing Parts into the file for the present application. At no time did Hospira, Inc. include an entry in its IPMaster docketing database relating to a Notice to File Missing parts for the present application, nor did Hospira, Inc. at any time place a Notice to File Missing Parts into the file for the present application. Had Hospira, Inc. received a Notice to File Missing Parts for the present application, the Hospira, Inc. personnel responsible for handling patent-related correspondence would have docketed such Notice in Hospira, Inc.'s IPMaster docketing database and placed the correspondence in the file for the present application in accordance with Hospira, Inc.'s policies and procedures.

20. The undersigned attorney avers that if Hospira, Inc. had received a Notice to File Missing Parts for the present application (either directly from the U.S. Patent and Trademark Office or from Abbott Laboratories), the Notice to File Missing Parts, together with the deadline for submitting the required missing parts, would have been docketed and filed by Hospira, Inc. in accordance with Hospira, Inc.'s policies and procedures. Hospira's docketing database does not indicate that a Notice to File Missing Parts for the present application was received, nor does Hospira's docketing database identify

a deadline for submitting the required missing parts. Hospira, Inc.'s file for the present application does not contain a Notice to File Missing Parts. Accordingly, the undersigned believes that the Notice to File Missing Parts allegedly mailed by the U.S. Patent and Trademark Office in connection with the present application was never received by Hospira, Inc. See the copy of the docket record, which was included and submitted with the Petition filed April 14, 2005.

21. After April 30, 2004, the undersigned attorney lost his right to access Private PAIR and ascertain the status of patent applications that were still under the customer numbers of Abbott Laboratories.

22. After April 30, 2004, the undersigned attorney also was unable to access Private PAIR to ascertain the status of patent applications that were under Hospira, Inc.'s customer number. The Hospira Information Technology area was very busy throughout 2004 with other priorities associated with implementing SAP and establishing an independent IT infrastructure for Hospira, Inc. and was unable to re-establish Private PAIR access for the undersigned attorney. Due to various information technology and firewall issues at Hospira, Inc., the undersigned was unable to get Private PAIR access to patent applications under Hospira's customer number until the end of January 2005.

23. In the Fall of 2004, the undersigned attorney noticed that the patent-related correspondence Abbott Laboratories was forwarding to Hospira, Inc. was addressed to the new Vice President for Patents and Trademarks of Abbott Laboratories, Robert DeBerardine. This realization prompted the undersigned to initiate an

investigation for the purpose of determining the status of Hospira, Inc.'s efforts to assign certain patents and patent applications to Hospira, Inc.'s Customer Number. Up to this point in time, Hospira, Inc. had not received any notification from the U.S. Patent and Trademark Office that Hospira, Inc.'s efforts to transfer its patents and patent applications to Hospira, Inc.'s Customer Number were unacceptable to the U.S. Patent and Trademark Office.

24. Upon investigation, the undersigned determined that the EBC had not processed the Request for Customer Number Batch Update submitted by Mr. Woodworth on April 13, 2004. As shown in the attached Exhibit J, the only applications associated with Hospira, Inc.'s customer number as of December 16, 2004 were those applications filed by Hospira, Inc. after May 3, 2004, i.e., after the spin-off of Hospira, Inc. from Abbott Laboratories. The undersigned contacted the U.S. Patent and Trademark Office by telephone in December 2004 and was informed that the failure of the U.S. Patent and Trademark Office to implement the customer number update requested by Hospira, Inc. on April 13, 2004 might be due in part to the June 25, 2004 rule change regarding the number of attorneys the U.S. Patent and Trademark Office would recognize in a given application (37 CFR 1.132(c)(3)). That is, because Mr. Woodworth was not listed among the first ten (10) attorneys identified alphabetically on the Powers of Attorney for the patents and patent applications in question, the U.S. Patent and Trademark Office, effective June 25, 2004, no longer recognized Mr. Woodworth's authority to undertake the actions requested in Hospira, Inc.'s request of April 13, 2004. The undersigned attorney respectfully notes that Hospira, Inc.'s request of April 13, 2004 complied with the U.S.

Patent and Trademark Office's policies in effect as of April 13, 2004.

25. On January 14, 2005, Hospira submitted by U.S. Express Mail yet another customer number batch update attempting to transfer Hospira, Inc.'s patents and patent applications into Hospira's customer number. Hospira, Inc. had to secure the help and cooperation of Abbott Laboratories to make this submission. See Exhibit K. The signatories of this request were carefully selected to include Robert Deberardine, Vice President and Chief Patent Counsel for Abbott Laboratories (who replaced Steven F. Weinstock in such capacity for Abbott Laboratories, Customer Number 23492) and a patent agent, Steven R. Crowley, who had for over fifteen (15) years been included in the first ten attorneys and agents listed alphabetically in Declarations and Powers of Attorney filed in connection with Abbott Laboratories' patent applications.

26. Soon after the undersigned's access to Private PAIR was restored at the end of January 2005, Hospira checked the status of the customer number update request submitted January 14, 2005. To the best of the undersigned's recollection, Hospira, Inc.'s granted U.S. patents were included under Hospira, Inc.'s customer number, but Hospira, Inc.'s pending patent applications still were not included under Hospira, Inc.'s customer number. Hospira, Inc. never received any communication from the U.S. Patent and Trademark Office indicating that it would not transfer pending patent applications into Hospira, Inc.'s customer number pursuant to the January 14, 2005 request for such action. In fact, Hospira, Inc. has never received any formal correspondence from the

U.S. Patent and Trademark Office responsive to its April 13, 2004 and January 14, 2005 requests.

27. Having failed in two previous attempts to effect a customer number change for all of its patents and patent applications, Hospira, Inc. began in early April 2005 the laborious process of filing Revocations and New Powers of Attorney in each of its pending U.S. patent applications to ensure that these patent applications were: (1) identified under Hospira, Inc.'s customer number; (2) available for viewing by the undersigned attorney in Private PAIR; (3) provided with the correct mailing address for Hospira, Inc.; and (4) identified as having granted to Mr. Woodworth and the undersigned the requisite power of attorney.

28. In early April 2005, the undersigned attorney initiated the process of preparing and filing Revocations and New Powers of Attorney for Hospira, Inc.'s 7135 and 7172 case families. This process included the step of checking the docket entries in Hospira's docketing database for these case families. As of early April 2005, Hospira, Inc.'s docketing database indicated that Hospira had received no correspondence other than a return post card and a Filing Receipt Notice for these case families. Upon reviewing Hospira, Inc.'s files for these case families, the undersigned determined that executed Declarations and Powers of Attorney had not been filed in connection with these case families.

29. On April 13, 2005, still being unable to access Hospira, Inc.'s 7135 and 7172 case family records through Private PAIR under Hospira, Inc.'s customer number, the undersigned contacted a member of the Abbott Laboratories Patent and Trademark Office and requested her to see if

someone at Abbott Laboratories could check Private PAIR for information on these case families since they were not available under Hospira, Inc.'s customer number.

30. On April 13, 2005, the undersigned received the disappointing news from Abbott Laboratories that, based upon Abbott Laboratories' review of Private PAIR, a Notice of Missing Parts and a Notice of Abandonment were apparently mailed from the U.S. Patent and Trademark Office for each of the 7135 and 7172 cases. At that time, Abbott Laboratories downloaded from Private PAIR a copy of these papers and sent them via e-mail to Hospira. This was the first time that Hospira, Inc. ever received copies of these communications from the U.S. Patent and Trademark Office, and it was the first time that Hospira, Inc. was aware that these communications had been issued by the U.S. Patent and Trademark Office. See Exhibit L.

31. For the reasons set forth herein, the undersigned respectfully avers that had Abbott Laboratories received the Notice to File Missing Parts and/or the Notice of Abandonment for the present application, Abbott Laboratories procedures would have required that such correspondence be forwarded to Hospira, Inc. The undersigned further respectfully avers that had Hospira, Inc. received the Notice to File Missing Parts and/or the Notice of Abandonment, either directly from the U.S. Patent and Trademark Office or from Abbott Laboratories, Hospira, Inc. would have docketed these communications in Hospira, Inc.'s IPMaster docketing database. Because these communications were not docketed in Hospira, Inc.'s IPMaster docketing database as of April 13, 2005, the undersigned attorney believes that (i) the Notice to File Missing Parts and the Notice of Abandonment for the present application were never received by Hospira, Inc.;

and (ii) the Notice to File Missing Parts and the Notice of Abandonment for the present application were never received by Abbott Laboratories.

32. On April 14, 2005, the undersigned filed via facsimile a Petition to Withdraw the Holding of Abandonment under MPEP 711.03(c)(I)(A) for the present application and requested that the U.S. Patent and Trademark Office mail a new Notice of Missing Parts to Hospira, Inc. and reset the time for response thereto. Given that Hospira, Inc. had sole docketing responsibility for its patents and patent applications, and given that Abbott Laboratories regularly forwarded to Hospira, Inc. patent-related correspondence received by Abbott Laboratories for Hospira, Inc.'s patents and patent applications, the undersigned included in this Petition what he believed in good faith to be the pertinent facts necessary to satisfy the requirements of MPEP 711.03(c)(I)(A).

33. On May 31, 2005, the undersigned's assistant, Robin Evans, contacted Abbott Laboratories and requested that they check Private PAIR to determine the status of the Petition filed on April 14, 2005. This request was made because Hospira, Inc. at that time was still unable to determine the Private PAIR the status of some of Hospira, Inc.'s pending applications filed before May 3, 2004. On May 31, 2005, Abbott Laboratories informed Ms. Evans and the undersigned attorney that the Petition filed on April 14, 2005 had been scanned by the U.S. Patent and Trademark Office on April 14, 2004, but that no action had yet been undertaken on the Petition. See Exhibit M.

34. On June 9, 2005, the undersigned submitted to the U.S. Patent and Trademark assignments of the present



application from the inventors to Abbott Laboratories to complete the missing link in the chain of title from the inventors to Abbott Laboratories. The U.S. Patent and Trademark Office confirmed that the assignment was recorded on June 9, 2005 on Reel 016319, Frame 0332. As stated above, the assignment of the present application from Abbott Laboratories to Hospira, Inc. was previously recorded by Hospira, Inc.

35. On July 29, 2005, the undersigned submitted: (i) a Revocation of Prior Power and New Power of Attorney for the present application; and (ii) a Statement Under 37 C.F.R. § 3.73(b); in a further effort to provide Mr. Woodworth and the undersigned, the attorneys associated with Hospira, Inc.'s Customer Number 41155, with power of attorney for the present application, and in an effort to ensure that future correspondence from the U.S. Patent and Trademark Office relating to the present application be sent directly to Hospira, Inc.

36. On September 1, 2005, the undersigned submitted via facsimile a Response to the Notice of Missing Parts with the \$130 surcharge and submitted via First Class Mail on September 2, 2005 an Information Disclosure Statement for the present application.

37. On August 18, 2005, the undersigned received the New Attorney's copies of a Notice of Acceptance of Change of Power of Attorney and a Notice Regarding Change of Power of Attorney mailed August 12, 2005 from the U.S. Patent and Trademark Office. On August 29, 2005 Hospira also received from Abbott Laboratories a piece of correspondence sent by the U.S. Patent and Trademark Office to Abbott Laboratories for the purpose of informing Abbott Laboratories that it had been designated

as a Former Attorney in connection with the present case. The undersigned notes that this is yet another example of the fact that Abbott Laboratories has consistently forwarded to Hospira, Inc. all patent-related correspondence relating to patents and patent applications assigned by Abbott Laboratories to Hospira, Inc., notwithstanding the fact that such correspondence was, in fact, intended for Abbott Laboratories.

38. On September 30, 2005, the undersigned filed a written status inquiry via facsimile in an attempt to ascertain the status of the Petition to Withdraw Holding of Abandonment filed April 14, 2005. See Exhibit N. The undersigned received no response from the U.S. Patent and Trademark Office regarding this status inquiry.

39. Having received no response from the U.S. Patent and Trademark Office regarding the above-mentioned status inquiry, in January of 2006, the undersigned had his assistant, Robin Evans, telephone the Office of Initial Patent Examination to further inquire of the status of the present application and in particular the status of the Petition to Withdraw Holding of Abandonment filed April 14, 2005.

#### ARGUMENT/REMARKS

Mr. Woodworth notified the USPTO of a change of customer number on April 13, 2004 and a change of address on April 29, 2004. It is important to note that at that time Mr. Woodworth and Mr. Crabb (who filed the instant application) were both attorneys of record under Abbott Laboratories' customer number and under what would become Hospira's customer number. Both the undersigned and Mr. Woodworth were named in the power of attorney section of the unsigned declaration, a transmittal paper submitted with the original application. If timely handled by the U.S. Patent and Trademark Office under the rules (37 C.F.R. §1.33(a)(1)) in effect at the time of submission, Hospira, Inc.'s submissions of April 13, 2004 and April 29, 2004 were adequate to change the correspondence address of record for the present application to Hospira's customer number address. Similarly, Hospira, Inc.'s submission of January 14, 2005 was adequate to change the correspondence address of record for the present application to Hospira's customer number address.

Hospira, Inc. has been adversely affected by the failure of the U.S. Patent and Trademark Office to accurately and timely process Hospira, Inc.'s customer number change requests. Hospira, Inc. also has been adversely affected by the 11½ month delay in the U.S. Patent and Trademark Office's consideration of the initial Petition to Withdraw the Holding of Abandonment and the failure of the USPTO to respond to status inquiries regarding such petition.

The file wrapper history, as well as the information supplied above and/or in the attached exhibits, clearly shows that: 1) the abandonment of the present application was at least unintentional, if not unavoidable; and 2) Applicants have acted diligently and without delay to try

to revive the application once the abandonment was discovered. A statement in the form required by 37 C.F.R. § 1.137(b) is enclosed.

The undersigned has worked diligently to follow up and expedite the revival of this application. Once made aware of the Notice of Missing Parts, Applicants filed a response to the same despite not having received a response from the U.S. Patent and Trademark Office to Applicants' Petition to Withdraw the Holding of Abandonment and reset the date for response. Applicants have continued to file papers with respect to this case, despite lengthy delays in responding on the part of the U.S. Patent and Trademark Office.

The undersigned has in good faith taken considerable care to include and accurately portray all of the relevant facts to the Office of Petitions in this petition for revival.

If the examining attorney finds that any portion of this paper, including any exhibit or enclosure, has been made difficult to read because of scanning or transmission by facsimile, the examining attorney is invited to contact the undersigned by telephone to obtain a more legible copy by e-mail or other means.

In the transmittal letter accompanying this paper, Applicants authorized the Commissioner to debit Hospira, Inc.'s Deposit Account No. 50-3118 for payment of the \$1500 fee for revival under 37 C.F.R. § 1.137(b). No further fees are believed to be due in connection with this paper. However, the Commissioner is hereby authorized to charge (or credit overpayment of) any fees required with this communication to Deposit Account No. 50-3118.

In conclusion, Applicants respectfully request that the holding of abandonment be withdrawn for this application and that examination proceed in the normal course.

Customer No. 41155

HOSPIRA, INC.

Telephone: (224) 212-2889

Facsimile: 224) 212-2088

Respectfully submitted,  
G. N. Holland, et al.

A handwritten signature in cursive script, reading "Michael R. Crabb".

Michael R. Crabb

Registration No. 37,298

Attorney for Applicants

**Exhibit A**

**Request for Customer Number  
January 13, 2004**



PTO/SB/125A (05-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Request for  
Customer Number****Address to:**Mail Stop EBC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner for Patents

Please assign a Customer Number to the Address indicated below.

Firm or Individual Name	Abbott Laboratories Hospital Products			
Address	Dept. 377, Bldg. AP6A			
Address	100 Abbott Park Road			
City	Abbott Park	State	IL	ZIP 60064-6008
Country	USA			
Telephone	847/938-5386	Fax	847/938-2623	

Please associate the following practitioner registration number(s) with the Customer Number assigned to the Address cited above.

33,137				
37,298				

☐

Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto.

**Request Submitted by:**

Firm Name (if applicable)	Abbott Laboratories		
Name of person submitting request	Brian R. Woodworth		
Signature	<i>B. R. Woodworth</i>		
Telephone Number	847/938-5386	Date	1/13/04

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



<b>Request for Customer Number</b>	<b>Address to:</b> Mail Stop EBC Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
------------------------------------	---

To the Commissioner for Patents  
Please assign a Customer Number to the Address Indicated below.

Firm or Individual Name	Abbott Laboratories Hospital Products				
Address	Dept. 377, Bldg. AP6A				
Address	100 Abbott Park Road				
City	Abbott Park	State	IL	ZIP	60064-6008
Country	USA				
Telephone	847/938-5386	Fax	847/938-2623		

Please associate the following practitioner registration number(s) with the Customer Number assigned to the Address cited above.

33,137				
37,298				

☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto.

**Request Submitted by:**

Firm Name (if applicable)	Abbott Laboratories		
Name of person submitting request	Brian R. Woodworth		
Signature	<i>B. R. Woodworth</i>		
Telephone Number	847/938-5386	Date	1/13/04

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

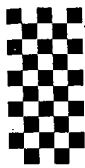
E-4) BUSY NO FACSIMILE CONNECTION

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWER



**Exhibit B**

**Notice Of Customer Number Assignment  
March 8, 2004**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

**CUSTOMER  
NUMBER:** 41155  
**CORRESPONDENCE  
ADDRESS:**

ABBOTT LABORATORIES HOSPITAL PRODUCTS  
DEPARTMENT 377, BUILDING AP6A  
100 ABBOTT PARK ROAD  
ABBOTT PARK, IL 60064-6008

**FAX:** 847-938-2623  
**E-MAIL:**

**PHONE:** 847-938-5386

Date Mailed: 03/08/2004

### NOTICE OF CUSTOMER NUMBER ASSIGNMENT

The request to assign a "Customer Number" to the above-identified Correspondence Address and Practitioner Registration Number(s) indicated below has been accepted by the Commissioner of Patents and Trademarks.

The Customer Number as assigned above may be used to identify the correspondence address or "fee address" for, and/or the appointed practitioner(s) in, a United States patent application or patent.

**PRACTITIONER REGISTRATION NUMBER(S) ASSIGNED TO THAT CUSTOMER NUMBER:**

33137, 37298.

---

Patents Electronic Business Center  
(703) 305-3028

PART 1 - ATTORNEY/APPLICANT COPY

**Exhibit C**

**Request for Customer Number Batch Update  
April 13, 2004**



Patent and Trademark Department  
D-377/AP6A-1  
Abbott Laboratories  
100 Abbott Park Road  
Abbott Park, Illinois 60064-6008 USA

Telephone: 847-937-8989  
Fax: 847-938-2623

April 13, 2004

Mail Stop EBC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Re: Customer Number Batch Update

Dear Commissioner for Patents:

Please associate the customer number "41155" with the correspondence address or the fee address, as shown on the attached spreadsheet.

For each application listed on the attached spreadsheet, I am an Attorney or Agent of Record.

Printed Name / Signature

Registration Number

Brian R. Woodworth

33,137

Date: April 13, 2004 Telephone Number: 847-938-5386

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this customer number update request by electronic mail. I understand that a copy of the confirmation of the change of address, but not the e-mailed confirmation, will be made of record in the application file(s).

E-mail Address: brian.woodworth@abbott.com



EV320604193US



EV 320604193 US

Mailing Label  
Label 11-F June 2002

EXPRESS

Customer Copy

Label 11-F June 2002

see



EV 320604193 US

EXPRESS  
MAIL

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

## ORIGIN (POSTAL USE ONLY)

PO ZIP Code 61106	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>
Date In Mo. 4 Day 13 Year 04	Postage \$13.65	
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee <input type="checkbox"/>
Weight lbs. 0 ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$13.65

## DELIVERY (POSTAL USE ONLY)

Delivery Attempt Mo. 4 Day 13	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature NOR...
Delivery Attempt Mo. 4 Day 13	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature APR 13 2004
Delivery Date Mo. 4 Day 13	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

## CUSTOMER USE ONLY

METHOD OF PAYMENT: X600242

Express Mail Corporate Acct. No.

FROM: (PLEASE PRINT) PHONE 847 938-3518  
ABBOTT LABORATORIES  
100 ABBOTT PARK RD  
DEPT 377 BLDG AP6A-1  
ABBOTT PARK IL 60064-6008

BRW/rse Cust No. Batch  
Update 4-13-04

Federal Agency Acct. No.

Postal Service Acct. No.

TO: (PLEASE PRINT) PHONE  
MAIL STOP EBC  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA VA 22313-1450

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



Customer Number: 41155

&lt; Enter six digit Customer Number

# Customer Number Upload Spreadsheet

NOTE: Bold text indicates where data is entered. You can enter data for each application or patent starting on line 16. Insert as many additional rows as required immediately below row 16 in order to add more application or patent updates. Do not skip rows between entries.

**ABBOTT LABORATORIES HOSPITAL PR**
**DEPARTMENT 377, BUILDING AP6A**
**100 ABBOTT PARK ROAD**
**ABBOTT PARK, IL 60064-6008**
**XXXXXXXXXXXXXXXXXXXXXXXXXX**
**XXXXXXXXXXXXXXXXXXXXXXXXXX**
**XXXXXXXXXXXXXXXXXXXXXXXXXX**

Rows 3 through 9 are for entering customer address.

Note: Customer Number and address are only displayed on page one.

Use no headers or titles on subsequent pages.

Patent Number	Application Number	Patent Date	Filing Date	Change Correspondence Address?	Change Fee Address?
(7 Digits w/o ",")	(8 digit w/o "/" or ",")	mm/dd/yy	mm/dd/yy	yes/no	yes/no
5517089		05/14/96		YES	YES
5439355		08/08/95		YES	YES
5431627		07/11/95		YES	YES
5396925		03/14/95		YES	YES
	08145003		10/29/93	YES	YES
5669892		09/23/97		YES	YES
5403293		04/04/95		YES	YES
	08825257		03/27/97	YES	YES
5740810		04/21/98		YES	YES
5466227		11/14/95		YES	YES
5488960		02/06/96		YES	YES
5816779		100/6/98		YES	YES
5586868		12/24/96		YES	YES
5474546		12/12/95		YES	YES
5462256		10/31/95		YES	YES
5449350		09/12/95		YES	YES
5674837		10/07/97		YES	YES
5460617		10/24/95		YES	YES
5713875		02/03/98		YES	YES
5983770		11/16/99		YES	YES
5597530		01/28/97		YES	YES
5522798		06/04/96		YES	YES
5498241		03/12/96		YES	YES
5603894		02/18/97		YES	YES
5549566		08/27/96		YES	YES
5498396		03/12/96		YES	YES

	10/665776		9/19/2003	YES	YES
	29198363		01/28/04	YES	YES
	29199636		02/18/04	YES	YES
	29190578		09/23/03	YES	YES
	29201365		03/15/04	YES	YES
	29190631		09/24/03	YES	YES
	29190382		09/19/03	YES	YES
	10696830		10/30/03	YES	YES
	29199537		02/17/04	YES	YES
	29190393		09/19/03	YES	YES
	60509404		10/07/03	YES	YES
	60527583		12/05/03	YES	YES
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X	10783642		02/20/04	YES	YES
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X	10783649		02/20/04	YES	YES
X	10783573		02/20/04	YES	YES
X	10783792		02/20/04	YES	YES
X	10783648		02/20/04	YES	YES
	60519646		11/13/03	YES	YES
	60527550		12/05/03	YES	YES
X	10783877		02/20/04	YES	YES
4623248		11/18/86		YES	YES
4557725		12/10/85		YES	YES
4552336		11/12/85		YES	YES
4690492		09/01/87		YES	YES
4684245		08/04/87		YES	YES
4650327		03/17/87		YES	YES
4639245		01/27/87		YES	YES

Save as an Excel (.XLS) spreadsheet (preferably as version 4.0). Do not make separate files for each attorney

Enter patented Designs as: **DXXXXXX**.

Enter Reissues as: **REXXXXX**.

Do not use slashes or commas when entering patent numbers and/or application numbers.

No Reexamination Proceedings (90 or 95 series numbers), or PCT International Applications may be listed on this spreadsheet.

Format date fields as: **MO/DA/YR**. Worksheet will display slashes.

The customer number uploads **MUST** be submitted via diskette or CD accompanied by a cover letter signed by the inventor, or an attorney or agent with a registration number associated with each application or patent listed on the spreadsheet. Mail your diskette or CD to:

Mail Stop EBC

Commissioner for Patents

**Exhibit D**

**Request for Customer Number Data Change  
April 29, 2004**





Legal Division  
Patents & Trademarks  
D-377/AP6D-2

Abbott Laboratories  
100 Abbott Park Road  
Abbott Park, IL 60064-6050

Telephone: (847) 937-8989  
FAX: (847) 938-2623

FACSIMILE COVER SHEET

DATE: April 29, 2004

TO: United States Department of Commerce  
Patent Electronic Business Center

FROM: ABBOTT LABORATORIES  
Patents and Trademarks  
D-0377, AP6A-1  
Telephone: (847) 937-8989  
Fax: 847-938-2623

PHONE NUMBER OF TELECOPY MACHINE: 703-308-2840

TOTAL NUMBER OF PAGES (INCLUDING THIS COVER SHEET): -2-

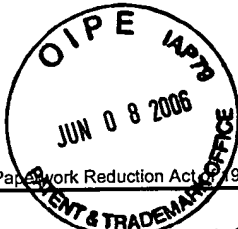
MESSAGE:

**Please see attached Request for Customer Number Data Change**

**THIS TRANSMISSION IS INTENDED ONLY FOR THE INDIVIDUAL(S) TO WHOM IT IS ADDRESSED.**

*It may contain confidential information, attorney work product, or other privileged material. If you are not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this transmission is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone at (847) 938-3518 and return the transmission to us at the address listed above.*

©Abbott Laboratories, 1991. All rights reserved. IF YOU DO NOT RECEIVE ALL PAGES AS INDICATED, PLEASE CALL (847) 938-3518.



PTO/SB/124A (06-03)

Approved for use through 07/31/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Request for  
Customer Number  
Data Change****Address to:**Mail Stop EBC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner for Patents:

41155

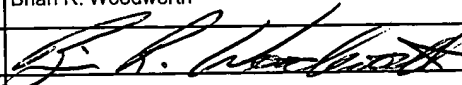
Please record the following data changes to **Customer Number**:☒ Please change Address to:

<b>Firm or Individual Name</b>	Hospira, Inc.			
<b>Address</b>	275 N. Field Drive			
<b>Address</b>	Dept. NLEG, Bldg. H-1			
<b>City</b>	Lake Forest	<b>State</b>	IL	<b>Zip</b> 60045-2579
<b>Country</b>	United States			
<b>Telephone</b>	(224) 212-2895	<b>Fax</b>		

☐ Please **delete** the following practitioner registration number(s) from the Customer Number indicated above:

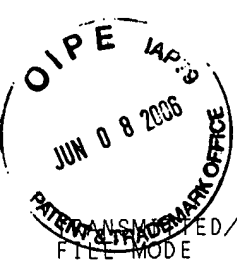

☐ Please **add** the following practitioner registration number(s) from the Customer Number above:


☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto (PTO/SB/124B or equivalent)**Request Submitted by:** (must be a person, e.g. registered practitioner, associated with the customer number shown above)

<b>Firm Name (if applicable)</b>			
<b>Name of Person Submitting request</b>	Brian R. Woodworth		
<b>Signature</b>		<b>Registration No.</b>	33,137
<b>Telephone Number</b>	(224) 212-2895	<b>Date</b>	April 29, 2004

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option.



\* \* \* COMMUNICATION RESULT REPORT ( APR. 29. 2004 3:00PM ) \* \* \*

FAX HEADER 1: PURCHASING  
FAX HEADER 2:TRANSMITTED/STORED : APR. 29. 2004 2:59PM  
FILE MODE OPTION

	ADDRESS	RESULT	PAGE
0464 MEMORY TX	G3 : 7033082840	OK	2/2

REASON FOR ERROR  
-1) HANG UP OR LINE FAIL  
-3) NO ANSWER  
-5) MAIL SIZE OVERE-2) BUSY  
E-4) NO FACSIMILE CONNECTIONLegal Division  
Patents & Trademarks  
D377/AP6D-2Abbott Laboratories  
100 Abbott Park Road  
Abbott Park, IL 60064-6050Telephone: (847) 937-8989  
FAX: (847) 938-2623FACSIMILE COVER SHEET

DATE: April 29, 2004

TO: United States Department of Commerce  
Patent Electronic Business CenterFROM: ABBOTT LABORATORIES  
Patents and Trademarks  
D-0377, AP6A-1  
Telephone: (847) 937-8989  
Fax: 847-938-2623

PHONE NUMBER OF TELECOPY MACHINE: 703-308-2840

TOTAL NUMBER OF PAGES (INCLUDING THIS COVER SHEET): -2-

MESSAGE:**Please see attached Request for Customer Number Data Change**

**Exhibit E**

**Notice of Customer Number Data Change  
April 30, 2004**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov



CUSTOMER  
NUMBER: 41165

CORRESPONDENCE  
ADDRESS:

BRADLEY ALAN SILEN  
275 N. FIELD DRIVE  
DEPT. NLEG BLDG H-1  
LAKE FOREST, IL 60045-2579

FAX:  
E-MAIL:

PHONE: 224-212-2895

Date Mailed: 04/30/2004


**NOTICE OF CUSTOMER NUMBER RECORD CHANGE**

The request to change the information associated with the above-identified Customer Number has been accepted by the Commissioner of Patents and Trademarks.

The Customer Number may be used to identify the correspondence address or "fee address" for, and/or the appointed practitioner(s) in, a United States patent application or patent. The correspondence address and registration numbers indicated on this notice reflect the current correspondence address and registration numbers associated with the above-identified Customer Number.

**PRACTITIONER REGISTRATION NUMBER(S) ASSIGNED TO THAT CUSTOMER  
NUMBER:**

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Patents Electronic Business Center  
(703) 305-3028

PART 1 - ATTORNEY/APPLICANT COPY

**Exhibit F**

**Hospira Inc. Mail Bin Notification  
April 29, 2004**

**Crabb, Michael**

---

**From:** Aguilar, Mercedes E LN  
**Sent:** Thursday, April 29, 2004 5:18 PM  
**To:** CORP\_Legal\_P&T\_Attorney\_Abbott Park@ABBOTT; CORP\_Legal\_P&T\_Support\_Abbott Park@ABBOTT  
**Subject:** Hospira Inc Mail Bin

Greetings,

A new mail bin has been added to our mail station for the Hospira group. The AST will forward their mail on a daily basis, just as it is done for all of the other remote sites.

If you have any questions, please feel free to contact me or anyone in the AST.

Thank you,

Mercedes

**Exhibit G**

**Request for Correction of Customer Number Data  
May 4, 2004**



# fax



To: Patents Electronic Business Center

From: Brian R. Woodworth

Company: USPTO

Tel: 224-212-2068

Fax: 703-308-2840

Fax:

Date: May 4, 2004

No. of Pages: 2

Dear Sir,

We received the attached letter from your office regarding our request for Customer Number Data Change. The attached letter has the wrong "Customer Number" and "Attorney".

We have attached a copy of your correspondence, with the changes noted. If you have any Questions, or need any other information, please contact my assistant Robin Evans at (224) 212-2068.

Brian R. Woodworth  
Reg. No. 33,137

Hospira Inc.  
275 North Field Drive  
Dept. 015N, Bldg. LF4P4-1  
Lake Forest, IL 60064  
[www.hospira.com](http://www.hospira.com)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

CUSTOMER  
 NUMBER:

41165 should be → 41155

CORRESPONDENCE  
 ADDRESS:

BRADLEY ALAN SILEN should be → Brian R. Woodworth  
 275 N. FIELD DRIVE  
 DEPT. NLEG BLDG H-1  
 LAKE FOREST, IL 60045-2579

FAX:

PHONE: 224-212-2895

E-MAIL: brian.woodworth@hospira.com

Date Mailed: 04/30/2004

### NOTICE OF CUSTOMER NUMBER RECORD CHANGE

The request to change the information associated with the above-identified Customer Number has been accepted by the Commissioner of Patents and Trademarks.

The Customer Number may be used to identify the correspondence address or "fee address" for, and/or the appointed practitioner(s) in, a United States patent application or patent. The correspondence address and registration numbers indicated on this notice reflect the current correspondence address and registration numbers associated with the above-identified Customer Number.

### PRACTITIONER REGISTRATION NUMBER(S) ASSIGNED TO THAT CUSTOMER NUMBER:

*A copy of this notice MUST be returned with the reply.*

Patents Electronic Business Center  
 (703) 305-3028

PART 1 - ATTORNEY/APPLICANT COPY

\* \* \* COMMUNICATION RESULT REPORT ( MAY. 4. 2004 2:43PM ) \* \* \*

FAX HEADER 1: PURCHASING  
FAX HEADER 2:TRANSMITTED/STORED : MAY. 4. 2004 2:42PM  
FILE MODE OPTION

ADDRESS

RESULT

PAGE

0524 MEMORY TX

G3 :

7033082840

OK

2/2

REASON FOR ERROR OR LINE FAIL  
-1) HANG UP  
-3) NO ANSWER  
-5) MAIL SIZE OVERE-2) BUSY  
E-4) NO FACSIMILE CONNECTION

fax



To: Patents Electronic Business Center

From: Brian R. Woodworth

Company: USPTO

Tel: 224-212-2068

Fax: 703-308-2840

Fax:

Date: May 4, 2004

No. of Pages: 2

Dear Sir,

We received the attached letter from your office regarding our request for Customer Number Data Change. The attached letter has the wrong "Customer Number" and "Attorney".

We have attached a copy of your correspondence, with the changes noted. If you have any Questions, or need any other information, please contact my assistant Robin Evans at (224) 212-2068.

Brian R. Woodworth  
Reg. No. 33,137

**Exhibit H**

**Declaration of Katrina M. Williams  
May 30, 2006**

# DECLARATION OF KATRINA M. WILLIAMS

1. I have been handling patent docketing for the Patent & Trademark Department of Abbott Laboratories since November of 2000.
2. My job responsibilities include the review and handling of all patent-related correspondence received by Abbott Laboratories from the U.S. Patent and Trademark Office. I also am responsible for docketing all patent-related correspondence received by Abbott Laboratories from the U.S. Patent and Trademark Office. Abbott Laboratories has been utilizing the Master Data Center IPMaster docketing system since prior to January 1, 2004.
3. Prior to April 30, 2004, Abbott Laboratories created a copy or "clone" database for patents and patent applications that were to be assigned to Hospira, Inc. at the time Hospira, Inc. was separated from Abbott Laboratories.
4. After the creation of this clone database, Abbott Laboratories ceased patent-related docketing for patents and patent applications that were to be assigned to Hospira, Inc. In order to ensure that Abbott Laboratories did not continue to undertake patent docketing for these patents and patent applications, Abbott Laboratories included a notation in the IPMaster database for each patent and patent application to be assigned to Hospira, Inc.
5. Recognizing that correspondence from the U.S. Patent and Trademark Office relating to patents and patent applications to be assigned (and subsequently assigned) to Hospira, Inc. may continue to be received

by Abbott Laboratories, Abbott Laboratories and Hospira, Inc. entered into an oral agreement pursuant to which Abbott Laboratories agreed to forward to Hospira, Inc. all correspondence received by Abbott Laboratories that related to patents and patent applications assigned to Hospira, Inc.

6. In order to fulfill its oral agreement with Hospira, Inc., Abbott Laboratories created a new, dedicated mail bin for all patent-related correspondence received by Abbott Laboratories that related to patents and patent applications assigned to Hospira, Inc.
7. Pursuant to the oral agreement between Abbott Laboratories and Hospira, Inc., when patent-related correspondence relating to patents and patent applications assigned to Hospira, Inc. was received by Abbott Laboratories, the serial number and/or attorney docket number on the correspondence was checked against the Abbott Laboratories IPMaster docketing database to determine if the correspondence related to a patent or patent application that had been assigned to Hospira, Inc. If the correspondence related to a patent or patent application that had been assigned to Hospira, Inc., the correspondence was placed in the designated mail bin for Hospira and forwarded to Hospira on a regular basis. Abbott Laboratories attempted to forward all such correspondence to Hospira, Inc. within one or two days of such correspondence being placed in the dedicated mail bin.
8. The above-outlined arrangement and practice was in place in May of 2004, when Filing Receipt Notices for the following patent applications were mailed by the

U.S. Patent and Trademark Office to Abbott  
Laboratories:

<u>US Serial No.</u>	<u>Atty Docket</u>	<u>Date Abbott Rec'd</u>
10/783,877	7172USO1	05/25/2004
10/783,642	7135USO2	05/20/2004
10/783,640	7135USO3	05/18/2004
10/783,648	7135USO7	05/18/2004

I have reviewed the Filing Receipt Notices for each of these patent applications and have confirmed that they have been marked with an Abbott Laboratories in-coming mail date-of-receipt stamp. Because these Filing Receipt Notices are currently in the possession of Hospira, Inc., I am confident that these Filing Receipt Notices were forwarded to Hospira by Abbott Laboratories in accordance with the above-outlined arrangement and practice.

9. Had Notices of Missing Parts been enclosed with any of the above-referenced Filing Receipt Notices received by Abbott Laboratories, or had Notices of Missing Parts been received separately for any of the above-referenced patent applications, such correspondence would have been placed in the dedicated mail bin and forwarded to Hospira, Inc.
10. Had Abbott Laboratories received Notices of Abandonment for any of the above-referenced patent applications such correspondence would have been placed in the dedicated mail bin and forwarded to Hospira, Inc.
11. I have no personal knowledge of any situation in which patent-related correspondence from the U.S. Patent and

Trademark Office relating to patents and patent applications assigned to Hospira, Inc. was not handled in accordance with the above-outlined arrangement and practice.

All of the above statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

I acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

May 30, 2006  
Date

Katrina M. Williams  
Katrina M. Williams



**Exhibit J**

**E-mail from Electronic Business Center  
December 16, 2004**

**Crabb, Michael**

---

**From:** EBC [EBC@USPTO.GOV]  
**Sent:** Thursday, December 16, 2004 11:30 AM  
**To:** Crabb, Michael  
**Cc:** Evans, Robin; Woodworth, Brian  
**Subject:** Re: Attn: Bridgett [X200412160728]

**Attachments:** RE-41155.xls



RE-41155.xls (14  
KB)

Michael,

Per your request attached are the applications associated with your customer number.

Thank you  
Bridgette

**DISCLAIMER:**

This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy, or disseminate it unless you are the addressee. If you have received it in error, please call us at 866-217-9197 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Thank you.

This e-mail and all other electronic (including voice) communications from the Patent Electronic Business Center are for informational purposes only. Business with the United States Patent and Trademark Office must be conducted in writing, and e-mail is not an accepted means of submitting such a writing to the Office.

-----Original Message-----

**From:** Crabb, Michael  
**Sent:** Thursday, December 16, 2004 11:47 AM  
**To:** EBC  
**Subject:** Attn: Bridgett

Dear Bridgett,

We thought of another possible solution to the power of attorney/mailing address problem on our cases that we discussed with you earlier by telephone.

Would it be possible for you to send us an email listing all of the cases currently associated with our customer number 41155?

We can then check that list against our docketing database to quickly identify the cases that might have been rejected from our earlier submitted customer number change and work with our friends at Abbott Laboratories to get the Power of Attorney/Address problems resolved.

This will save your office the time and energy necessary to reprocess the entire customer number transfer request and identify the "rejected" cases.

Let me know if you cannot provide us with the list requested and we will proceed, as you suggested, to resubmit the customer number transfer request that we Express Mailed on 4/13/2004.

Thank you for your assistance.

Michael R. Crabb, Counsel (Registration No. 37, 298) Hospira, Inc.

Dept. NLEG, Bldg. H-1  
275 N. Field Drive  
Lake Forest, IL 60045-2579  
224-212-2889 Telephone  
224-212-2088 Facsimile  
michael.crabb@hospira.com

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of Hospira, Inc. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail or by e-mail to [postmaster@hospira.com](mailto:postmaster@hospira.com), and destroy this communication and all copies thereof, including all attachments.

Customer Number	Application Number	Patent Number	Filing Date	Issue Date	
41155	10858102		2004-06-01,	0001-01-01, 00:00:00	
41155	10930358		2004-08-31,	0001-01-01, 00:00:00	
41155	10944505		2004-09-17,	0001-01-01, 00:00:00	
41155	10978866		2004-10-29,	0001-01-01, 00:00:00	
41155	60617587		2004-10-08,	0001-01-01, 00:00:00	

**Exhibit K**

**Second Request for Customer Number Batch Update  
December 29, 2004**



Patent and Trademark Department

Telephone: 847-937-8989

D-377/AP6A-1

Fax: 847-938-2623

Abbott Laboratories

100 Abbott Park Road

Abbott Park, Illinois 60064-6008 USA

December 29, 2004

EV540223092US

Mail Stop EBC

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

Re: Customer Number Batch Update

Dear Commissioner for Patents:

Please associate the customer number "41155" with the correspondence address or the fee address, as shown on the attached spreadsheet.

For each application listed on the attached spreadsheet, I am an Attorney or Agent of Record.

Printed Name / Signature

Registration Number

Robert DeBerardine

32,853

Steven R. Crowley

31,604

December 29, 2004 Telephone Number: 847-937-6364  
Date:

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this customer number update request by electronic mail. I understand that a copy of the confirmation of the change of address, but not the e-mailed confirmation, will be made of record in the application file(s).

E-mail Address: robert.deberardine@abbott.com



EV 540223092 US

Customer Copy



**EXPRESS MAIL**

Post Office To Addressee

**ORIGIN (POSTAL USE ONLY)**

PO ZIP Code <b>10009</b>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input checked="" type="checkbox"/> <b>136</b>
Date In Mo. <b>7</b> Day <b>14</b> Year <b>05</b>	Time In <input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage <b>\$ 1.36</b>
Weight <b>1</b> lbs. <b>6</b> ozs.	Military <input type="checkbox"/> 2nd Day <input checked="" type="checkbox"/> 3rd Day	Return Receipt Fee <b>\$ 1.56</b>
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Int'l Alpha Country Code	COD Fee Insurance Fee
Acceptance Clerk Initials		Total Postage & Fees <b>\$ 1.56</b>

**DELIVERY (POSTAL USE ONLY)**

Delivery Attempt Mo. <b>7</b> Day <b>14</b>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt Mo. <b>7</b> Day <b>14</b>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt Mo. <b>7</b> Day <b>14</b>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

**CUSTOMER USE ONLY**

METHOD OF PAYMENT: **8600031**

FROM: (PLEASE PRINT) **HOSPIRA, INC**

**275 N FIELD DR  
LAKE FOREST IL 60045-2579**

Cust. No. **Batch Update 1/14/05**

TO: (PLEASE PRINT) **Mail Stop EBC**

**Commissioner for Patents**

**P.O. Box 1450  
Alexandria, VA 22313-1450**

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



<b>Customer Number:</b>	<b>41155</b>	< Enter six digit Customer Number	<b>Customer Number Upload Spreadsheet</b>
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NOTE: Bold X's indicate where data is entered. You can enter data for each application or patent starting on line 16. Insert as many additional rows as required immediately below row 16 in order to add more application or patent updates. Do not skip rows between entries.

<b>HOSPIRA, INC.</b>		Rows 3 through 9 are for entering customer address.
<b>D-NLEG, H1</b>		
<b>275 NORTH FIELD DRIVE</b>		
<b>LAKE FOREST, IL 60045-2579</b>		
XXXXXXXXXXXXXXXXXXXXXXXXXX		Note: Customer Number and address are only displayed on page one.
XXXXXXXXXXXXXXXXXXXXXXXXXX		
XXXXXXXXXXXXXXXXXXXXXXXXXX		Use no headers or titles on subsequent pages.

Patent Number	Application Number	Patent Date	Filing Date	Change Correspondence Address?	Change Fee Address?
(7 Digits w/o ",")	(8 digit w/o "/" or ",")	mm/dd/yy	mm/dd/yy	yes/no	yes/no
<b>XXXXXXX</b>	<b>XXXXXXXX</b>	<b>XX/XX/XX</b>	<b>XX/XX/XX</b>	<b>YES or NO</b>	<b>YES or NO</b>
RE33360		10/02/90		YES	YES
4614267		09/30/86		YES	YES
4572907		02/25/86		YES	YES
4608043		08/26/86		YES	YES
4650477		03/17/87		YES	YES
4685910		08/11/87		YES	YES
4718896		01/12/88		YES	YES
4757911		07/19/88		YES	YES
4976683		12/11/90		YES	YES
4703864		11/03/87		YES	YES
4722727		02/02/88		YES	YES
4614515		09/30/86		YES	YES
4721215		01/26/88		YES	YES
4717652		01/05/88		YES	YES
5191795		03/09/93		YES	YES
4944191		07/31/90		YES	YES
4821558		04/18/89		YES	YES
4842584		06/17/89		YES	YES
4927411		05/22/90		YES	YES
4818186		04/04/89		YES	YES
4950244		08/21/90		YES	YES
4784259		11/15/88		YES	YES
4784658		11/15/88		YES	YES
4895570		01/23/90		YES	YES
5043286		08/27/91		YES	YES
4810655		03/07/89		YES	YES
4815313		03/28/89		YES	YES
4840621		06/20/89		YES	YES
4948000		08/14/90		YES	YES
4825876		05/02/89		YES	YES
5047605		09/10/91		YES	YES
4947856		08/14/90		YES	YES
5000901		03/19/91		YES	YES
4925268		05/15/90		YES	YES
5085643		02/04/92		YES	YES
5158538		10/27/92		YES	YES
5185007		02/09/93		YES	YES
5279602		01/18/94		YES	YES
5234419		08/10/93		YES	YES
5196198		03/23/93		YES	YES
5000664		03/19/91		YES	YES
5269311		12/14/93		YES	YES



6497680		12/24/02		YES	YES
6503528		01/07/03		YES	YES
6208107		03/27/01		YES	YES
6613036		09/02/03		YES	YES
	09511134		02/23/00	YES	YES
	09522101		03/09/00	YES	YES
6652509		11/25/03		YES	YES
6440101		08/27/02		YES	YES
	09591003		06/09/00	YES	YES
	10727702		12/04/03	YES	YES
6685668		02/03/04		YES	YES
6685692		02/03/04		YES	YES
6494694		12/17/02		YES	YES
	10767485		01/29/04	YES	YES
	09880377		06/13/01	YES	YES
6561224		05/13/03		YES	YES
	10207934		07/30/02	YES	YES
	10763549		01/23/04	YES	YES
	10208309		07/30/02	YES	YES
	10063109		03/21/02	YES	YES
	10063110		03/21/02	YES	YES
	10251200		09/20/02	YES	YES
	10280221		10/25/02	YES	YES
	60410361		09/13/02	YES	YES
	10270819		10/15/02	YES	YES
	10406344		04/03/03	YES	YES
	10453393		06/03/03	YES	YES
	10442575		05/21/03	YES	YES
	10655718		09/05/03	YES	YES
	10667611		09/22/03	YES	YES
	10/665776		9/19/2003	YES	YES
	29198363		01/28/04	YES	YES
	29199636		02/18/04	YES	YES
	29190578		09/23/03	YES	YES
	29201365		03/15/04	YES	YES
	29190631		09/24/03	YES	YES
	29190382		09/19/03	YES	YES
	10696830		10/30/03	YES	YES
	29199537		02/17/04	YES	YES
	29190393		09/19/03	YES	YES
	60509404		10/07/03	YES	YES
	60527583		12/05/03	YES	YES
	10783641		02/20/04	YES	YES

	10783642		02/20/04	YES	YES
	10783640		02/20/04	YES	YES
	10783649		02/20/04	YES	YES
	10783573		02/20/04	YES	YES
	10783792		02/20/04	YES	YES
	10783648		02/20/04	YES	YES
	60519646		11/13/03	YES	YES
	60527550		12/05/03	YES	YES
	10783877		02/20/04	YES	YES
4623248		11/18/86		YES	YES
4557725		12/10/85		YES	YES
4552336		11/12/85		YES	YES
4690492		09/01/87		YES	YES
4684245		08/04/87		YES	YES
4650327		03/17/87		YES	YES
4639245		01/27/87		YES	YES

Save as an Excel (.XLS) spreadsheet (preferably as version 4.0). Do not make separate files for each attorney

Enter patented Designs as: **DXXXXXX**.

Enter Reissues as: **REXXXXX**.

Do not use slashes or commas when entering patent numbers and/or application numbers.

No Reexamination Proceedings (90 or 95 series numbers), or PCT International Applications may be listed on this spreadsheet.

Format date fields as: **MO/DA/YR** . Worksheet will display slashes.

The customer number uploads **MUST** be submitted via diskette or CD accompanied by a cover letter signed by the inventor, or an attorney or agent with a registration number associated with each application or patent listed on the spreadsheet. Mail your diskette or CD to:

**Mail Stop EBC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Submission requirements are set forth in the Official Gazette dated January 7, 1997 on page 1194 OG 4.

The USPTO will enter a change in correspondence or fee address in a listed application or patent only when at least one of the following identifiers are provided:

1. the patent number and the corresponding application number;
2. the patent number and the corresponding patent date;
3. the application number and the corresponding filing date;
4. the patent number and the corresponding filing date;
5. the application number and the corresponding patent date.

**For questions please contact the Electronic Business Center Help Desk at (866) 217-9197 or by e-mail to [ebc@uspto.gov](mailto:ebc@uspto.gov) (questions only)**

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U. S. Patent and Trademark Office

OMB No. 0651-0035 (Exp. 11/30/2005)

U.S. DEPARTMENT OF COMMERCE

**Exhibit L**









**Private Pair Status Checks for 7135USXX Cases  
From Abbott Laboratories  
April 13, 2005**

Evans, Robin

**From:** Iorio, Kimberly A LN  
**Sent:** Wednesday, April 13, 2005 3:02 PM  
**To:** Casuto, Dianne LN  
**Cc:** Crabb, Michael; Evans, Robin  
**Subject:** Re: Private PAIR Status Checks for 7135US01-07 and 7172US01

Hi Mike:

Attached please find the Missing Parts and Abandonment Notices (downloaded from the USPTO) for each of the below listed cases:

 10783641[1] (7135US01).pdf	 10783642[1] (7135US02).pdf	 10783640[1] (7135US03).pdf	 10783649[1] (7135US04).pdf	 10783573[1] (7135US05).pdf	 10783792[1] (7135US06).pdf
 10783648[1] (7135US07).pdf	 10783877[1] (7172US01).pdf				

I checked with docketing and was informed that all documents received for Hospira are sent daily by Federal Express to Brian at 275 North Field Drive, Dept. NLEG, Bldg. H-1, Lake Forest, IL 60045.

If you have problems opening the attachments or need anything further, please do not hesitate to contact me.

Thanks  
Kim

Kimberly A. Iorio  
Legal Assistant to Dianne Casuto  
Abbott Laboratories  
Patent & Trademark Department  
Ph: (847) 937-6369  
FAX: (847) 938-2623

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, use or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone (847) 937-6369 or by return email, and delete it from his or her computer.

Dianne Casuto 04/13/2005 12:31 PM	To: MICHAEL CRABB/HPD/Abbott@Exchange cc: ROBIN EVANS/HPD/Abbott@Exchange, Kimberly A Iorio/LAKE/CORP/ABBOTT@ABBOTT Subject: Re: Private PAIR Status Checks for
-----------------------------------	--



Kimberly A Iorio

7135US01-07 and 7172US01

Hi Mike! Hope everyone is doing well out there!

No, nothing like this ever happens to the mundane cases; only to the important ones!

I have had a continuing problem maintaining Private Pair but my assistant Kim has access. I'll ask her to access it and try to print off the records. We'll then fax them to you.

Sincerely,  
Dianne

Dianne Casuto  
Counsel  
Abbott Laboratories  
Phone: (847) 938-3137  
Fax: (847) 938-2623  
E-mail: dianne.casuto@abbott.com

---

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---

<b>MICHAEL CRABB/HPD/Abbott@Exchange</b>	<b>04/13/2005 09:50 AM</b>	<b>To: Dianne</b>
Casuto/LAKE/CORP/ABBOTT@ABBOTT cc: ROBIN EVANS/HPD/Abbott@Exchange Subject: Private PAIR Status Checks for 7135US01-07 and 7172US01		

Diane,

Greetings from Hospira!

Do you or does someone else at Abbott still have access to Private PAIR? If so, we could really use some urgent help in resolving an apparent abandonment situation on several of our more important patent applications. Does stuff like this ever happen to the more mundane, less important applications?

Anyway, could you check Private PAIR and fax me a printout of the records for the following applications, which according to the USPTO are still for Abbott's eyes only:

7135US01	10/783641
7135US02	10/783642
7135US03	10/783640
7135US04	10/783649
7135US05	10/783573
7135US06	10/783792
7135US07	10/783648
7172US01	10/783877

All of these applications were filed on 2/20/04. We suspect that we never received a Notice of Missing Parts for each of these cases. Subsequently, there may also have been a Notice of Abandonment that we did not receive. If obtainable through Private PAIR, please send us a copy of these documents from each of the cases, too.

Let me know if you have any questions.

Thanks a lot!

Michael R. Crabb, Counsel  
Hospira, Inc.  
Dept. NLEG, Bldg. H-1  
275 N. Field Drive  
Lake Forest, IL 60045-2579  
224-212-2889 Telephone  
224-212-2088 Facsimile  
michael.crabb@hospira.com

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**Exhibit M**

**Private Pair Status Checks for 7135USXX Cases  
From Abbott Laboratories  
May 31, 2005**

## Evans, Robin

---

**From:** Iorio, Kimberly A LN  
**Sent:** Tuesday, May 31, 2005 12:58 PM  
**To:** Evans, Robin  
**Cc:** Crabb, Michael  
**Subject:** RE: Private PAIR Status Check on 7135 Cases

Hi Robin:

I went into each case file wrapper and opened each document, that is how I was able to confirm that the petitions were scanned in on April 14. In the file history section it does not show the petition. Here is an example of the file history:



PAIR Page: Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Address Bar

Address: http://pair-direct.uspto.gov/cgi-bin/final/pairsearch.pl

PAIR  
FAQ  
Help  
Feedback

Other Links

E-Business Center Patents  
Employee Locator  
Class/Subclass GAU Information  
Information Contacts

Search results for application nu

Application Number:	10:783,877	Customer Number:
Filing or 371(c) Date:	02-20-2004	Status:
Application Type:	Utility	Status Date:
Examiner Name:	-	Location:
Group Art Unit:	2681	Location Date:
Confirmation Number:	7736	Earliest Publication:
Attorney Docket Number:	7172 US01	Earliest Publication Date:
Class/ Sub Class:	455/-	Patent Number:
First Named Inventor:	Gary Howard, San Diego, CA	Issue Date of Patent:
Title Of Invention:	System for maintaining drug information and c	

Select Search Option

Assignments  
Continuity Data  
Image File Wrapper

File History

Date	Contents
07-19-2004	Abandonment -- During Preexam Process
05-17-2004	Notice Mailed--Application Incomplete--
03-24-2004	Cleared by OIPE CSR
03-08-2004	IFW Scan & PACR Auto Security Review
02-20-2004	Initial Exam Team nn

Done

Created: 2/25/2004 Updated: 4/16/2004 9:40:22 AM By: jaykm

Start New M. About IP Mast. modan. Entus. PAIR

here is the file wrapper: (each case I opened read the same)

PAIR: Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Media Print

Address: http://pair-direct.uspto.gov/cgi-bin/final/pair\_efw.pl

**United States Patent and Trademark Office**

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**PATENT APPLICATION INFORMATION RETRIEVAL**

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**Image File Wrapper for Application No.:10/783,877**

This application is officially maintained in electronic form. To View, Click the desired I Check the desired document(s) and click Download.

Mail Room Date	Document Description	Document Code
04/14/2005	Petition for review and processing by the Technology Center SPRE.	PROSECUT
02/10/2005	Abandonment	PROSECUT
05/17/2004	Pre-Exam Formalities Notice	PROSECUT
02/20/2004	Abstract	PROSECUT
02/20/2004	Drawings	PROSECUT
02/20/2004	Oath or Declaration filed	PROSECUT
02/20/2004	Fee Worksheet (PTO-875)	PROSECUT
02/20/2004	Fee Worksheet (PTO-875)	PROSECUT
02/20/2004	Transmittal letter	PROSECUT
02/20/2004	Specification	PROSECUT
02/20/2004	Claims	PROSECUT

http://www.uspto.gov/main/contacts.htm

Created: 2/26/2004 Updated: 11/16/2004 9:30:22 AM By: kim

Start | New Mail | Alerts | IP Mail | Median | Enlist | PAIR

Kim

ROBIN EVANS/HPD/Abbott@Exchange 05/31/2005 12:25 PM To: Kimberly A  
lorio/LAKE/CORP/ABBOTT@ABBOTT cc: MICHAEL CRABB/HPD/Abbott@Exchange Subject: RE: Private PAIR Status Check on  
7135 Cases

Hi Kim,

We sent them our petition to withdraw abandonment on April 14. So, I'm assuming that, is what was scanned into their system. Could you possibly check the image file wrapper just on one case to ensure that is what was scanned? I'd appreciate it.

Thanks so much for your help.

-----Original Message-----

**From:** Iorio, Kimberly A LN  
**Sent:** Tuesday, May 31, 2005 12:19 PM  
**To:** Evans, Robin  
**Cc:** Crabb, Michael; Vrioni, Beth A LN  
**Subject:** Re: Private PAIR Status Check on 7135 Cases

Hi Robin:

I checked each application and they were all scanned into their system on April 14, 2005; however, no other action has taken place since then. Status still remains Abandoned.

Let me know if you need anything else.

Take care,  
Kim

---

**ROBIN EVANS/HPD/Abbott@Exchange** 05/31/2005 11:05 AM To: Kimberly A  
Iorio/LAKE/CORP/ABBOTT@ABBOTT cc: MICHAEL CRABB/HPD/Abbott@Exchange Subject: Private PAIR Status Check on 7135 Cases

Hi Kim,

Could we once again, ask your assistance in finding out the status of the below listed patent applications. You checked for us in April and found that they were abandoned. We have since, sent in a petition to Withdraw Abandonment and would like to know if the status has changed. They are still under Abbott's Customer number, so we cannot check Private Pair ourselves.

7135US01	10/783641
7135US02	10/783642
7135US03	10/783640
7135US04	10/783649
7135US05	10/783573
7135US06	10/783792
7135US07	10/783648
7172US01	10/783877

Thanks again, for your help!

Ms. Robin Evans  
Hospira, Inc.  
275 North Field Drive

Dept. NLEG, Bldg. H1  
Lake Forest, IL 60045-2579  
Phone: (224) 212-2068  
Fax: (224) 212-2088

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**Exhibit N**

**Status Inquiry for Patent Application No. 10/ 783,642  
September 30, 2005**

# fax



To: United States Patent & Trademark  
Office

From: HOSPIRA, INC.

Company:

Tel: 224-212-2889

Fax: (571) 273-8300

Fax: 224-212-2088

Date: September 30, 2005

No. of Pages: 2

**RE: US Serial No. 10/783,642  
Filed on February 20, 2004**

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Hospira, Inc.  
275 North Field Drive  
Dept. NLEG, Bldg. H-1  
Lake Forest, IL 60045  
[www.hospira.com](http://www.hospira.com)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: G.N. Holland, et al.

Application No.: 10/783,642

Group No.: 2857

Filed: 02/20/2004

Examiner: Not Yet Assigned

For: MEDICATION MANAGEMENT SYSTEM

Commissioner for Patents


P.O. Box 1450

Alexandria, VA 22313-1450

STATUS INQUIRY

1. No communication has been received from the Patent and Trademark Office indicating action on the Petition to Withdraw Holding of Abandonment (for failure to receive Office Action) on patent Application No. 10/783,642, which was sent via facsimile April 14, 2005.
2. Kindly advise the undersigned of the present status of this petition. Please send response via facsimile at (224) 212-2088.

Customer No. 41155  
Hospira, Inc.  
NLEG, H-1  
275 N. Field Drive  
Lake Forest, IL 60045  
224-212-2088

  
Michael R. Crabb  
Registration No. 37,298

---

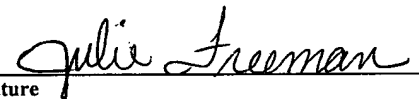
**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**TRANSMISSION**

☒ Facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.  
571-213-8300

  
Signature

Date: 9/30/05

  
(type or print name of person certifying)

\* Only the date of filing (3 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 3 1.8 continues to be taken into account in determining timeliness. See 3 1.703(f). Consider "Express Mail Post Office to Addressee" (3 1.10) or facsimile transmission (3 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

\* \* \* COMMUNICATION RESULT REPORT ( SEP. 2005 1:16PM ) \* \* \*

FAX HEADER: 2242122087

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916	MEMORY TX	815712738300	OK	P. 2/2

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Company:

Fax: (571) 273-8300

Date: September 30, 2005

From: HOSPIRA, INC.

Tel: 224-212-2889

Fax: 224-212-2088

No. of Pages: 2

**RE: US Serial No. 10/783,642  
Filed on February 20, 2004**



PATENT

FILE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. N. Holland, et al.

Serial No.: 10/783,642

Filed: February 20, 2004

Confirmation No.: 7341

Title: MEDICATION MANAGEMENT  
SYSTEM

Case No.: 7135US02

Group Art Unit: 2857

Examiner: TBD


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I hereby certify that this paper  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On: April 14, 2005

Recipient Fax Number: 703-872-9306

  
Robin Evans

4/14/05  
Date

TRANSMITTAL LETTER

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith for the patent application  
identified above entitled MEDICATION MANAGEMENT SYSTEM  
are the following:

1. Petition To Withdraw Holding of Abandonment  
Based on Failure To Receive Notice of Missing  
Parts (2 pages)
2. Copy of Docket Record

The Commissioner is hereby authorized to charge any fees  
required with this communication for which full payment  
had not been tendered, to Deposit Account No. 50-3118.

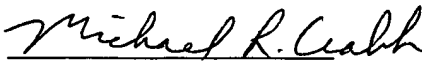
Customer No. 41155

HOSPIRA, INC.

Telephone: (224) 212-2889

Facsimile: (224) 212-2088

Respectfully submitted,  
G. N. Holland, et al.



Michael R. Crabb  
Registration No. 37,298  
Attorney for Applicants

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. N. Holland, et al.

Serial No.: 10/783,642

Filed: February 20, 2004

Confirmation No.: 7341

Title: MEDICATION MANAGEMENT  
SYSTEM

Case No.: 7135USO2

Group Art Unit: 2857

Examiner: TBD

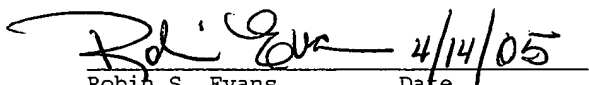
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On: April 14, 2005

Recipient Fax Number: 703-872-9306

  
Robin S. Evans

4/14/05  
Date

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON  
FAILURE TO RECEIVE NOTICE OF MISSING PARTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants recently became aware that the above-mentioned application was held abandoned for failure to respond to the Notice of Missing Parts. However, under 37 CFR 1.181(a) and MPEP 711.03(c)(I)(A), Applicants respectfully request that the holding of abandonment be withdrawn and a Notice of Missing Parts be remailed to the Applicants.

The undersigned practitioner attests that he never received the Notice of Missing Parts. The undersigned has conducted a search of the file jacket and docket records. Such search indicates that the Notice of Missing Parts was never received. A copy of the appropriate docket record, wherein the nonreceived Office communication would have been entered had it been received and docketed, is submitted herewith.

No fee is believed to be due in connection with this paper. However, the Commissioner is hereby authorized to charge any fees required with this communication for which full payment had not been tendered, to Deposit Account No. 50-3118.

Customer No. 41155

HOSPIRA, INC.

Telephone: (224) 212-2889

Facsimile: (224) 212-2088

Respectfully submitted,  
G. N. Holland, et al.

A handwritten signature in cursive script, reading "Michael R. Crabb".

Michael R. Crabb

Registration No. 37,298

Attorney for Applicants

# Docket Record for Serial No. 10/783,642

IPMaster (v1.6.1a) - [SQLOLEDB.1] HPDAP001\inst1.IPMaster.evansrs [Patent 10/783,642]

File Edit Records Utilities Tools Help

Family Number: 7135  
Country: United States  
Case Type: Regular  
Relation Type: Original Filing  
Filing Type: National  
Filing Number: 2

Pros Attorney: Crabb, Michael R.  
Resp P&T Loc: Hospira  
Business Owner: Hospital Products Division  
Div/Cost Center: Hospira  
Pros Agent: Abbott Labs Counsel  
Case Ref Number: 7135US02

### Medication Management System

Tracking	Related Id	Assignee	Title	Text	FF Decisions	Priority	Research Ar.	Attys Comm.	Abstract
Filing Data	Related Part	More	Actions	Comments	Products	Ext Fies	Inventors	Claim Type	License Data
Action	Due Date	Deadline Date	Completed Date	Confirmation Date					
Conversion w/new Matter			2/20/2004	2/20/2004					
Info Disc Statement	5/20/2004	5/20/2004							
Convention Filing Date	11/20/2004	2/20/2005	10/7/2004						
Redacted Publication Deadline	2/7/2005	2/7/2005							
Published Application	2/7/2005	4/7/2005							
Status Ck on First OA	4/20/2005	4/20/2005							

Created: 2/27/2004 Updated: 1/3/2005 10:05:07 AM By: evansrs

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\* \* \* COMMUNICATION RESULT REPORT ( APR.14.2005 3:28PM ) \* \* \*

FAX HEADER: 2242122087

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fax

  
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Office

Company:

Fax: (703) 872-9306

Date: April 14, 2005

From: Michael R. Crabb

Tel: 224-212-2889

Fax: 224-212-2088

No. of Pages: 5

**RE:      Petition To Withdraw Abandonment  
         US Serial No. 10/783,642  
         Filed on February 20, 2004**

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